

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 21 U.S.C. § 844(a)(Possession of a Controlled Substance)
 (Class A Misdemeanor); 18 U.S.C. § 13, assimilating Cal.
 Health & Safety Code § 11364(a)(Possession of Drug
 Paraphernalia)(Class B Misdemeanor)

☐ Petty
☐ Minor
☒ Misdemeanor
☐ Felony

 PENALTY: Maximum Prison Term of One Year
 Maximum Fine of \$100,000
 Mandatory Minimum Fine of \$1,000
 Maximum Supervised Release Term of One Year
 Special Assessment of \$25

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
DEFENDANT - U.S.

NICK J. WHITAKER

DISTRICT COURT NUMBER

CR 08**0184****DEFENDANT MAG****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

United States Park Police, Department of Interior

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under
IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior
 summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☒ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) WENDY M. THOMAS

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 * Where defendant previously apprehended on complaint, no new summons or
 warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED
MAR 24 AM 9:56
U.S. DISTRICT COURT
SAN FRANCISCO, CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICK J. WHITAKER,

Defendant.

No.

VIOLATIONS: Title 21, United States Code
Section 844(a) - Possession of a Controlled
Substance (Class A Misdemeanor); Title 18,
United States Code Section 13, Assimilating
California Health and Safety Code Section
11364(a) - Possession of Paraphernalia for
Smoking Controlled Substance (Class B
Misdemeanor)

SAN FRANCISCO VENUE

INFORMATION

The United States Attorney charges:

COUNT ONE: 21 U.S.C. § 844(a) - Possession of a Controlled Substance

On or about August 26, 2007, in the Northern District of California, the defendant,

NICK J. WHITAKER,

did knowingly and intentionally possess a controlled substance, to wit: lysergic acid diethylamide
(LSD), in violation of Title 21, United States Code, Section 844(a), a Class A Misdemeanor.

//

INFORMATION

COUNT TWO: 18 U.S.C. § 13, assimilating California Health and Safety Code § 11364(a) - Possession of Paraphernalia for Smoking Controlled Substance

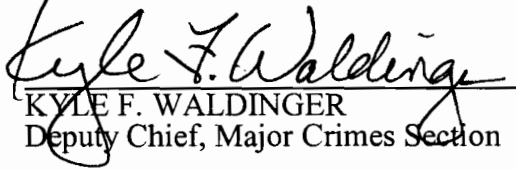
On or about August 26, 2007, in the Northern District of California, within the boundaries of an area under the exclusive jurisdiction of the United States and administered by the Presidio Trust, the defendant,


NICK J. WHITAKER,

did possess a device, contrivance, instrument, and paraphernalia used for unlawfully ingesting and smoking a controlled substance, to wit: a pipe used for smoking cocaine base, in violation of Title 18, United States Code, Section 13, assimilating California Health and Safety Code § 11364(a), a Class B Misdemeanor.

DATED: March 24, 2008

JOSEPH P. RUSSONIELLO
United States Attorney


KYLE F. WALDINGER
Deputy Chief, Major Crimes Section

(Approved as to form: )

WENDY THOMAS
Special Assistant United States Attorney